

AF/1641



PATENT

TECH CENTER 1600/2900

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Martens, et al.

Examiner: Gary W. Counts

Serial No: 09/850,363

Group Art Unit: 1641

Confirmation No.: 2538

Docket: 294-100

Filing Date: May 7, 2001

Dated: January 22, 2004

For: **SHORT TURNAROUND TIME INSULIN
ASSAY AND PROTOCOL THEREFOR**

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	<i>I hereby certify this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 22, 2004</i> Signature: <i>Julie L. Watts</i>
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**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD
OF PATENT APPEALS AND INTERFERENCES**

Applicants hereby appeal to the Board from the decision of the Primary Examiner,
Mailed July 22, 2003, finally rejecting Claims 19-28.

The item(s) checked below are appropriate:

1. STATUS OF APPLICANT

This application is on behalf of

- ☒ other than a small entity.
☐ small entity.

A verified statement claiming small entity status

- ☐ is attached.
☐ was previously filed.

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8a)

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

FACSIMILE

- ☒ Deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

- ☐ Transmitted by facsimile to the Patent and Trademark Office

Julie L. Watts
Signature
Julie L. Watts
Typed or Printed Name

Date: January 22, 2004

01/28/2004 CHNGUYEN 00000023 09850363
330.00 DP
950.00 DP
01 FC:1401
02 FC:1253

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 CFR 1.17(e), the fee for filing the Notice of Appeal is:

<input type="checkbox"/>	small entity	\$165.00
<input checked="" type="checkbox"/>	other than small entity	\$330.00

Notice of Appeal fee due **\$330.00**

3. EXTENSION OF TERM

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

(complete (A) or (B), as applicable)

(A) ☒ Applicants petition for an extension of time under 37 CFR 1.136 for the total number of months checked below (fees: 37 CFR 1.17(a)-(d)):

	Extension (months)	Fee for Other than Small Entity	Fee for Small Entity
<input type="checkbox"/>	one month	\$ 110.00	\$ 55.00
<input type="checkbox"/>	two months	\$ 420.00	\$210.00
<input checked="" type="checkbox"/>	three months	\$ 950.00	\$475.00
<input type="checkbox"/>	four months	\$1,480.00	\$740.00

Fee due for indicated extension **\$950.00**

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

(B) ☐ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee	\$ <u>330.00</u>
Extension fee (if any)	\$ <u>950.00</u>

TOTAL FEE DUE **\$ 1280.00**

5. FEE PAYMENT

☒ Attached is a check in the sum of **\$1280.00**

☐ Charge Account No. ___ the sum of \$ _____

A duplicate of this transmittal is attached.

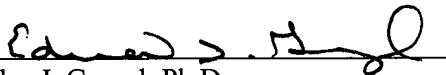
6. **FEE DEFICIENCY**

- ☒ If any additional extension and/or fee is required or any overpayment has been made, please charge our Deposit Account No. **08-2461** or credit our Deposit Account for such sum.

AND/OR

- ☒ If any additional fee for claims is required or any overpayment has been made, please charge our Deposit Account No. **08-2461** or credit our Deposit Account for such sum.

Respectfully submitted,


Edna I. Gergel, Ph.D.
Agent for Applicant(s)
Registration No. 50,819

HOFFMANN & BARON, LLP
6900 Jericho Turnpike
Syosset, New York 11791
(516) 822-3550
EIG:jlw

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